

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. 03-00502-01 SOM
)	
Plaintiff,)	ORDER DENYING "MOTION TO
)	DISMISS FOR LACK OF
vs.)	JURISDICTION"
)	
MICHAEL TRENT BARNES (01),)	
)	
Defendant.)	
_____)	

ORDER DENYING "MOTION TO DISMISS FOR LACK OF JURISDICTION"

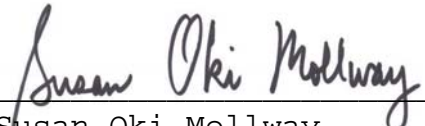
Defendant Michael Barnes has filed a "Motion to Dismiss for Lack of Jurisdiction." As Barnes presently has an appeal pending in the Ninth Circuit, he may not institute proceedings in this court. This court is without jurisdiction over this matter at this time, and proceedings belong instead in the Ninth Circuit. This court therefore denies the motion filed by Barnes.

Barnes has also filed a Certificate of Applicability. This court denies a certificate of appealability in light of the absence of any colorable ground in which Barnes may seek rulings from this court during the pendency of his appeal.

This court also reminds Barnes that, as he has counsel representing him, submissions to any court should be made by his counsel, not directly by him.

DATED: Honolulu, Hawaii; February 27, 2007.





Susan Oki Mollway
United States District Judge

United States of America v. Michael Trent Barnes; Cr. No.
03-00502-01 SOM; Order Denying "Motion to Dismiss for Lack of
Jurisdiction"